

the taxable property of Wicomico county and pay over to the Mayor and Council of Salisbury to be used and expended by said Mayor and Council exclusively on the Maintenance and Improvement of the Streets of Salisbury aforesaid a sum of money not exceeding five thousand dollars in any one year.

1914, ch. 620, sec. 158R. 1927, ch. 138, sec. 158R.

309. In addition to the powers to purchase property the Mayor and Council of Salisbury shall have the power to condemn any property, right or interest, belonging to any person, persons, corporation or corporations (whether such corporation be public or private, and whether such property, right or interest be impressed with a prior public or quasi-public use or not) for the purpose of making any public improvement.

The manner of procedure in case of any condemnation proceeding shall be as follows:

(1) The Council may, upon its own motion, or at the suggestion of the Mayor, or at the instance of any citizen or citizens, of Salisbury, if he sees fit so to do, by order, motion, resolution, or ordinance, determine to undertake any improvement which is authorized to make, and shall thereupon direct the City Engineer, or some other competent person, to prepare a map or plat of the proposed improvement. The validity of the proceedings shall in no measure depend upon the taking of this preliminary step, it being intended merely as a means of placing before the Council accurate information as to the work to be done.

(2) The Mayor and Council shall pass an ordinance as other ordinances are passed, directing that the proposed improvement be made and specifying the course and location of the proposed improvement and describing the property to be taken with sufficient certainty to enable a surveyor to lay the same out, and directing the Mayor to appoint a commission to estimate damages and benefits, and to obtain such other information specified in said ordinance as the Council may desire.

(3) The Mayor shall appoint three disinterested persons, residents of Salisbury, to estimate damages and benefits, which appointments shall be ratified by the Council.

And in the event that any person or persons so appointed shall not be ratified by the Council, or shall fail to take the oath hereinafter prescribed within the time limited therefor, or shall for any reason fail, refuse or be unable to serve on such commission, then the Mayor shall appoint another or others to serve in the place of such person or persons, which appointment shall be made in the same manner and subject to the same ratification as provided in the first instance.

And the Mayor, after the appointment, ratification and acceptance of said Commissioners, shall issue a commission in writing under his hand to them authorizing them to exercise the powers and commanding them to perform the duties hereinafter required of them.

(4) The three persons so appointed shall within five days after date of their commission, take oath before a Justice of the Peace of Wicomico County, that they will faithfully, fairly and without partiality or preju-